

REMARKS

Applicants' attorney is appreciative of the interview granted by Examiners Rodriguez and Eide on December 8, 2009. At that interview, Applicants' attorney argued that the references of record, including the newly cited reference, taken in combination, did not teach or suggest the claimed invention.

Claims 13-26 have been rejected under 35 USC 103(a) over Guiot et al in view of Tamagaki et al and Burger.

As discussed at the interview, the Guiot et al reference discloses a method for determining the shape of a duplicate of a remaining tooth area to be provided with a prosthesis, in which shape of the duplicate is determined, as is the shape of the duplicate sections into which the duplicate has been divided, and the determined data are stored and combined. This process is cited as prior art in the present specification (EP 913,130), and while it results in exact measurements, large amounts of data must be processed, and expensive hardware and software are required. The invention improves upon this process by placing each of the duplicate sections separately into a holding device, determining the geometry of each section by scanning, and referencing the duplicate sections to each other in a referencing stored in a computer, and which is independent of the duplicate.

Tamagaki et al is not related to production of three-dimensional dental prostheses, but rather to reproduction of two-dimensional images which are too large for the platen of a scanner. In order to reconstruct the entire image, sections of the image are scanned, and then re-combined by determining image portions that overlap.

At the interview, the Examiners made the argument that this process could be read broadly as storing data in a

computer, and then comparing subsequently scanned data to the stored data.

In order to clearly distinguish over the steps of Tamagaki et al, claim 13 has been amended to recite the nature of the initially stored data, that being a referencing of a support means for the duplicate or a referencing on the duplicate to be produced during fabrication of the duplicate.

Corresponding amendments have been made to claim 14, as well as to independent claim 17.

Then, sections of the duplicate in combination with respective sections of the support means are individually scanned as to geometry, and the scanned data is compared with the stored data. Thus, the duplicate sections are individually referenced as to spatial allocation to each other in the referencing stored in the computer, and which is independent of the duplicate.

The claimed process does not, therefore, merely compare a scanned section with a previously scanned section, as taught by Tamagaki et al, nor does the claimed process compare a scanned section with the entire duplicate, as taught by Guiot et al.

The Burger reference also does not suggest any such process. According to Burger, a model of a jaw is fabricated by attaching a tooth arrangement to a support, cutting out individual sections of the attached arrangement, and reconstructing the entire model on a base plate. While similar physical manipulation steps may be performed according to the invention (and Guiot et al), there is no disclosure or suggestion in Burger of individually scanning these sections into a computer.

Moreover, there is no reason why one of ordinary skill in the art would seek to improve on the Guiot et al method by

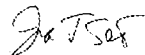
utilizing the teaching Tamagaki et al, which relates to the entirely different field of two-dimensional image reproduction, or by utilizing the teachings of Burger, which issued a full 13 years before Guiot et al, and which does not disclose or suggest scanning three-dimensional models to determine geometry, or storage of a referencing in a computer.

Withdrawal of this rejection is requested.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

If the Examiner believes that further amendments to the claims are necessary before this application can be allowed, she is invited to telephone the undersigned attorney to discuss such amendments before issuing a further Office action.

Respectfully submitted,



Ira J. Schultz
Registration No. 28666
Attorney for Applicants
(703) 837-9600, ext. 23

Dennison, Schultz & MacDonald
1727 King Street, Suite 105
Alexandria, VA 22314